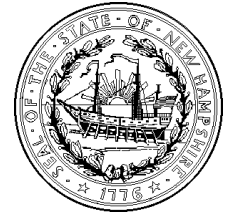


STATE OF NEW HAMPSHIRE
Department of Environmental Services
Air Resources Division



Title V Operating Permit

Permit No: **TV-OP-29**
Date Issued: **August 23, 2000**

This certifies that:

Concord Litho Group
92 Old Turnpike Road
Concord, NH 03302-2888

has been granted a Title V Operating Permit for the following facility and location:

Concord Litho Group
92 Old Turnpike Road
Concord, NH 03302-2888
AFS No. 3301300062

This Title V Operating Permit is hereby issued under the terms and conditions specified in the Title V Operating Permit Application filed with the New Hampshire Department of Environmental Services on **June 13, 1996** under the signature of the following responsible official certifying to the best of their knowledge that the statements and information therein are true, accurate and complete.

Responsible Official:
Peter Cook
President

Technical Contact:
Philip A. Desiere
Plant Manager
603-225-3328

This Permit is issued by the New Hampshire Department of Environmental Services, Air Resources Division pursuant to its authority under New Hampshire RSA 125-C and in accordance with the provisions of Code of the Federal Regulations 40 Part 70.

This Title V Operating Permit shall expire on **August 23, 2005**

SEE ATTACHED SHEETS FOR ADDITIONAL PERMIT CONDITIONS

For the New Hampshire Department of Environmental Services, Air Resource Division

Director, Air Resources Division

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Facility Specific Title V Operating Permit Conditions

I. Facility Description of Operations

Concord Litho Group (Concord Litho) is a commercial offset lithographic printing operation that produces greeting cards, brochures, magazines and catalogs. The primary sources of air pollutant emissions at the facility are ink solutions, dampening agents and cleaning solutions. The facility has the potential to emit over 50 tons per year of Volatile Organic Compounds (VOC) and therefore requires a Title V Operating Permit.

II. Permitted Activities

In accordance with all of the applicable requirements identified in this permit, the permittee is authorized to operate the devices and or processes identified in Sections III, IV, V and VI within the terms and conditions specified in this Permit.

III. Significant Activities Identification and Stack Criteria

A. Significant Activity Identification

The activities identified in the following table (Table 1) are subject to and regulated by this Title V Operating Permit:

Table 1 – Significant Activity Identification			
Emission Unit Number	Description of Emission Unit	Exhaust Stack Identification	Maximum Operating Conditions
EU1	Harris # 1 Heatset web, Press, 6 unit, 12 color	Stack #11 Bypass stack # 1 shall be closed off while unit is operating under normal conditions.	Emissions of total VOCs from the Harris #1 shall be limited to 4.1 tons per any consecutive 12-month period.
EU2	Harris # 2, Heatset web Press, 5 unit, 10 color	Stack #11 Bypass stack # 2 shall be closed off while unit is operating under normal conditions.	Emissions of total VOCs from the Harris #2 shall be limited to 4.2 tons per any consecutive 12-month period.
EU3	Harris # 3, Heatset web Press, 9 unit, 18 color	Stack #11 Bypass stack # 3 shall be closed off while unit is operating under normal conditions.	Emissions of total VOCs from the Harris #3 shall be limited to 4.2 tons per any consecutive 12-month period.
EU4	Harris # 5, Heatset web Press, 5 unit 10 color	Stack #11 Bypass stack # 5 shall be closed off while unit is operating under normal conditions.	Emissions of total VOCs from the Harris #5 shall be limited to 4.9 tons per any consecutive 12-month period.
EU5	Harris # 6, Heatset web Press, 10 unit 20 color	Stack #11 Bypass stack # 6 shall be closed off while unit is operating under normal conditions.	Emissions of total VOCs from the Harris #6 shall be limited to 4.7 tons per any consecutive 12-month period.

Table 1 – Significant Activity Identification

Emission Unit Number	Description of Emission Unit	Exhaust Stack Identification	Maximum Operating Conditions
EU6	Didde, Non-Heatset web Press, 4 color	No Stack	Emissions of total VOCs from the Didde shall be limited to 4.4 tons per any consecutive 12-month period.
EU7	Miehle # 8, Non-Heatset sheet-fed, Press, 5 color	Stack #6	Emissions of total VOCs from the Miehle #8 shall be limited to 7.9 tons per any consecutive 12-month period.
EU8	Miehle # 9 Non-Heatset sheet-fed Press, 2 color/Bronzer	No Stack	Emissions of total VOCs from the Miehle #9 shall be limited to 4.3 tons per any consecutive 12-month period.
EU9	Miehle # 10, Non-Heatset sheet-fed Press, 6 color	Stack #7	Emissions of total VOCs from the Miehle #10 shall be limited to 10.4 tons per any consecutive 12-month period.
EU10	Miehle # 15, Non-Heatset sheet-fed Press, 2 color	No Stack	Emissions of total VOCs from the Miehle #15 shall be limited to 3.5 tons per any consecutive 12-month period.
EU11	Man-Rolland # 18, Non-Heatset sheet-fed Press, 6/1 color	Stack #8	Emissions of total VOCs from the Man-Rolland #18 shall be limited to 11.3 tons plus or minus 20 % per any consecutive 12-month period. Total emissions from EU011 and EU012 shall be limited to 22.6 tons per any consecutive 12-month period.
EU12	Man-Rolland # 19 Non-Heatset sheet-fed Press, 6/1 color	Stack #9	Emissions of total VOCs from the Man-Rolland #19 shall be limited to 11.3 tons plus or minus 20 % per any consecutive 12-month period. Total emissions from EU011 and EU012 shall be limited to 22.6 tons per any consecutive 12-month period.
EU13	Man-Rolland # 20, Non-Heatset sheet-fed, 8/1 color	Stack #10	Emissions of total VOCs from the Man-Rolland #20 shall be limited to 9.2 tons per any consecutive 12-month period.
EU14	Kodak Plate Processor	No Stack	Emissions of total VOCs from the Kodak Plate Processors shall be limited to 6.5 tons per any consecutive 12-month period.
EU15	Dupont Plate Processor	No Stack	Emissions of total VOCs from the Dupont Plate Processors shall be limited to 2.1 tons per any consecutive 12-month period.
Total facility emissions of VOCs shall be limited to 93.0 tons per any consecutive 12-month period.			

B. Stack Criteria

The following stacks for the above listed significant devices at this facility shall discharge to meet the following criteria in accordance with the state-only modeling requirements specified in Env-A 1300 and Env-A 1400:

Table 2 – Stack Criteria					
Stack Number	Emission Unit Number	Emission Unit Description	Minimum Stack Height (Feet) Above Ground Level	Maximum Stack Diameter (Feet)	Minimum Exhaust Air Flow (acfm)
Bypass ST1	EU1	Harris 1 Heatset web, Press	38	1	1389
Bypass ST2	EU2	Harris 2 Heatset web, Press	28.4	1	1621
Bypass ST3	EU3	Harris 3 Heatset web, Press	30	1.17	2684
Bypass ST4	EU4	Harris 5 Heatset web, Press	36.5	1	1523
Bypass ST5	EU5	Harris 6 Heatset web, Press	35.7	1	2616
ST6	EU7	Miehle 8, Non-Heatset Sheet-fed Press	7.92	0.667	489
ST7	EU9	Miehle 10, Non-Heatset Sheet-fed Press	28.83	1	1964
ST8	EU11	Man-Rolland 18, Non-Heatset Sheet-fed Press	25.58	1.333	2198
ST9	EU12	Man-Rolland 19, Non-Heatset Sheet-fed Press	24.33	1.333	2198
ST10	EU13	Man-Rolland 20, Non-Heatset Sheet-fed Press	29.25	1.75	2196
ST11	EU1-EU5	Harris Heatset web, Press 1,2,3,5&6	33.38	2.5	12983 ¹

Preauthorized changes to the state-only requirements pertaining to stack parameters (set forth in this permit), shall be permitted only when an air quality impact analysis which meets the criteria of Env-A 606 is performed either by the facility or the New Hampshire Department of Environmental Services, Air Resources Division (if requested by facility in writing) in accordance with the ADES Policy and Procedure for Air Quality Impact Modeling.² All air modeling data shall be kept on file at the facility for review by the DES upon request. This is state-only requirement.²

IV. Insignificant Activities Identification

All activities at this facility that meet the criteria identified in the New Hampshire Rules Governing the Control of Air Pollution Part Env-A 609.03(g) shall be considered insignificant activities. Emissions from the insignificant activities shall be included in the total facility emissions for the emission-based fee calculation described in Section XXIII of this Permit.

¹ The exhaust air flow in stack 11 is based on all of the Harris presses operating. When not all of the presses are operating the exhaust air flow will be less than 12983 acfm.

² The term “state-only requirement” is used to refer to those requirements that are not federally enforceable but are state requirements as defined in Env-A 101.259.

V. Exempt Activities Identification

All activities identified in the New Hampshire Rules Governing the Control of Air Pollution Env-A 609.03(c) shall be considered exempt activities and shall not be subject to or regulated by this Title V Operating Permit.

VI. Pollution Control Equipment Identification

The emission units 1 through 5 (EU1 - EU5) are in compliance with Env-A 1204.19(c)(3) by venting process exhaust to the thermal oxidizer with regenerative heat recovery. The exhaust from dryers on EU1-EU5 is transported to the thermal oxidizer through Permanent Total Enclosure (PTE) with 100% capture efficiency as determined by EPA Method 204 on 3/28/2000. The destruction efficiency of the thermal oxidizer is 98.6% based on stack test performed on 6/6/1995, operating at maximum load, with central chamber temperature range between 1500-1519 degrees F. The facility may operate the thermal oxidizer at a minimal temperature of 1480 degrees F as long as 90% destruction efficiency is achieved.

Table 3 – Pollution Control Equipment			
Description of Equipment	Emission Unit Controlled	Stack Number	Minimum Efficiency
Reeco Unitherm Thermal Oxidizer Maximum firing rate-3.74 mmBTU/hr Fuel-Natural Gas	EU1- EU5	ST11	90%

VII. Alternative Operating Scenarios

No alternative operating scenarios were identified for this Permit.

VIII. Applicable Requirements

A. VOC RACT Requirements:

The Permittee is subject to the Volatile Organic Compound (VOC) Reasonably Available Control Technology (RACT) emission limits and restrictions as contained in section VIII.A. of this Permit. Emission limits and restrictions contained in sections VIII.A.1. through VIII.A.3. are federally enforceable.

1. In accordance with Env-A 1204.19 (a) the Permittee is subject to the following VOC RACT requirements set forth in Section VIII.A.2. through VIII.A.3.
2. In accordance with Env-A 1204.19 (c), offset lithographic printing operations at this facility shall be limited at all times to the VOC RACT emission rates stipulated below:

- (a) Cleaning solution, used for blanket and ink roller washes shall not exceed the following VOC RACT limits:

- (1) Non-exempt VOC content of 30.0% by weight, as applied; or
 - (2) Non-exempt VOC content of 0.9 kg/per liter (7.43 lb. per gallon) of cleaning solution, as applied, with a VOC composite partial pressure of 10 mm Hg (0.19 pounds per square inch) or less at 20 C (68 F);
- (b) All cleaning materials and soiled towels used for manual cleaning shall be kept in closed containers;
- (c) The VOC emissions from the dryer exhaust of heatset inks:
 - (1) Shall be reduced by at least 90.0%, by weight, of total organics, less methane and ethane; or
 - (2) Shall not exceed 20 parts per million, by volume, prior to dilution; and
- (d) The fountain solution:
 - (1) Used in heatset web offset lithographic printing presses, shall be limited to one of the following:
 - a. Non-exempt VOC content of 1.6% or less, by weight;
 - b. Non-exempt VOC content of 3.0% or less, by weight, if the fountain solution is refrigerated to a temperature below 60 F (16 C); or
 - c. Non-exempt VOC content of 5.0% or less, by weight, if the fountain solution contains no alcohol;
 - (2) Used in sheet-fed offset lithographic facilities, shall be limited to either of the following:
 - a. Non-exempt VOC content of 5.0% or less, by weight; or
 - b. Non-exempt VOC content of 8.5% or less, by weight, if the fountain solution is refrigerated to a temperature below 60 F (16 C); and
 - (3) Used in non-heatset web-fed offset lithographic printing processes, including both newspaper and non-newspaper facilities, shall contain no alcohol and the concentration of total non-exempt VOC's shall not exceed 5.0%, by weight, in the final solution.

The Permittee shall be subject to the state-only operational and emission limitations identified in Table 4 below.

Table 4 – State-Only Enforceable Operational and Emission Limitations			
Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
1.	Env-A 1305.01(a) Impact Analysis and Permit Requirements	Facility wide	New or modified devices, new or modified area sources, and existing devices or area sources for which new applications for permits are filed that have the potential to emit, in any amount, substances that meet the criteria of Env-A 1301 shall be subject to Env-A 1300, until such time as the Env-A 1400 requirements supersede the Env-A 1300 requirements as outlined below.
2.	Env-A 1305.02 Procedure for Air Quality Impact Analysis	Facility wide	Air quality impact analysis of devices and area sources emitting substances meeting the criteria of Env-A 1301 shall be performed in accordance with the “DES Policy and Procedure for Air Quality Impact Modeling” or other comparable dispersion modeling methods approved by EPA.
3.	Env-A 1403.01 Program Requirements for New or Modified Devices or Processes	Facility wide	New or modified devices or processes installed after May 8, 1998 shall be subject to the requirements of Env-A 1400 (<i>Regulated Toxic Air Pollutants</i>).
4.	Env-A 1403.02(a) Program Requirements for Existing Devices or Processes	Facility wide	All existing unmodified devices or processes, which are in operation during the transition period ending on May 8, 2001, shall comply with either Env-A 1300 (<i>Toxic Air Pollutants</i>) or Env A 1400 (<i>Regulated Toxic Air Pollutants</i>).
5.	Env-A 1403.02(b) Program Requirements for Existing Devices or Processes	Facility wide	All existing devices or processes in operation after the transition period ending on May 8, 2001 shall comply with Env-A 1400 (<i>Regulated Toxic Air Pollutants</i>). Env-A 1300 will no longer be in effect.
6.	Env-A 1404.01(d) Permit Requirements	Facility wide	Documentation for the demonstration of compliance shall be retained at the facility and shall be made available to the DES for inspection.
7.	Env-A 1405.02 Application Procedures for Existing Devices or Processes Requiring a Permit	Facility wide	The owner of an existing device or process requiring a permit modification under Env-A 1400 shall submit to the DES no later than one year prior to the end of the transition period (May 8, 2000), an application for a modification to a Title V permit in accordance with Env-A 609.18, and a request to the DES to perform air dispersion modeling.
8.	Env-A 1405.03 Application Procedures for Existing Devices or Processes Complying with Env-A 1300 Prior to the End of the Transition Period	Facility wide	The owner of an existing device or process requiring a permit under Env-A 1300 shall submit to the DES no later than one year prior to the end of the transition period (May 8, 2000), a compliance plan identifying how the device or process will comply with Env-A 1400 by the end of the transition period. The compliance plan shall contain the dates when the information required in Env-A 1405.02 will be filed with the DES.
9.	Env-A 1406.01 Methods of Demonstrating Compliance	Facility wide	The owner of any device or process, which emits a regulated toxic air pollutant, shall determine compliance with the ambient air limits by using one of the methods provided in Env-A 1406.02, Env-A 1406.03, or Env-A 1406.04. Upon request, the owner of any device or process that emits a regulated toxic air pollutant shall provide documentation of compliance with the ambient air limits to the DES.

Note: Preliminary modeling has been performed and some Regulated Toxic Air Pollutants (RTAPs) exceeded Ambient Air Limits (AAL). Concord Litho submitted a Compliance Plan outlining the steps by which they will come into compliance with Env-A 1405.03.

C. Federally Enforceable Operational and Emission Limitations

The Permittee shall be subject to the federally enforceable operational and emission limitations identified in Table 5 below:

Table 5 – Federally Enforceable Operational and Emission Limitations			
Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
1.	RSA 125-C:6, RSA 125-C:11, and Env-A 606.04 National Ambient Air Quality Standards	Facility wide	Concord Litho shall comply with the National Ambient Air Quality Standards (NAAQS) and the applicable requirements of RSA 125-C:6, RSA 125-C:11, and Env-A 606.04. These sections include, but are not limited to, descriptions of the powers and duties of the commissioner, and requirements for adherence to permit application procedures and air pollution dispersion modeling impact analyses.
2.	40 CFR 52 Sulfur Content Limitations for Gaseous Fuels	Facility wide	Sulfur content of natural gas shall not exceed 5 grains of sulfur per 100 cubic feet of gas.
3.	Env-A 2003.02 Visible Emission Standard for Fuel Burning Devices	Facility wide	Concord Litho shall not cause or allow the average opacity from any fuel burning devices to exceed an average of 20 percent for any continuous 6-minute in any 60-minute period.
4.	Env-A 2107.01(a) Visible Emission Standard for Processes	Facility wide	Concord Litho shall not cause or allow the average opacity from any process to exceed 20 percent for any continuous 6-minute in any 60-minute period.
5.	Env-A 2003.08 Particulate Emission Standard for Fuel Burning Devices	Facility wide	Concord Litho shall not cause or allow emissions of particulate matter from fuel burning devices in excess of 0.30 lb/mmBtu.
6.	40 CFR 68 and 1990 CAA Section 112(r)(1) Accidental Release Program Requirements	Facility wide	<p>Concord Litho maintains no quantities of high-risk regulated substances above the threshold quantities established by the EPA under 40 CFR Part 68.130. Administrative controls will be established in order to ensure that inventories of regulated substances are maintained below the specified threshold quantities. The facility is subject to the Purpose and General Duty clause of the 1990 Clean Air Act, Section 112(r)(1). General Duty includes the following responsibilities:</p> <ul style="list-style-type: none"> (a) Identify potential hazards which may result from such releases using appropriate hazard assessment techniques; (b) Design and maintain a safe facility; (c) Take steps necessary to prevent releases; and (d) Minimize the consequences of accidental releases that do occur. <p>If, in the future, Concord Litho wishes to store quantities of high risk regulated substances above the threshold levels, an emergency response plan shall be submitted to the DES in a timely manner. This plan shall include the information listed in 40 CFR 68, Subpart E.</p>

Table 5 – Federally Enforceable Operational and Emission Limitations			
Item #	Regulatory Cite	Applicable Emission Unit	Applicable Requirement
7.	40 CFR 82 Subpart F Stratospheric Ozone Protection	Facility wide	<p>Any person servicing, maintaining, or repairing appliances (except for motor vehicle air conditioners) which contain and use class I or class II substances as a refrigerant and which are used for household or commercial purposes, including any air conditioner, refrigerator, chiller, or freezer are subject to the requirements of 40 CFR 82 Subpart F (Recycling and Emission Reduction):</p> <ul style="list-style-type: none"> (e) Owners of equipment containing more than 50 pounds of refrigerants are required to repair substantial leaks. The annual leak rate cannot exceed 35 percent per 12-month period for industrial process and commercial refrigeration equipment. The annual leak rate cannot exceed 15 percent of charge per 12-month period for comfort cooling chillers and all other equipment containing more than 50 pounds of refrigerants, except for industrial process and commercial refrigeration equipment. (f) Technicians servicing appliances that contain 50 or more pounds of refrigerant must provide the owner with an invoice that indicates the amount of refrigerant added to the appliance. In addition, technicians must be certified and keep a copy of their proof of certification at their place of business. (g) Owners of air conditioning and refrigeration equipment with more than 50 pounds of refrigerant must keep records of the quantity of refrigerant added to their equipment during servicing and maintenance procedures and the date and type of service rendered to the equipment.

D. Emission Reductions Trading Requirements

Concord Litho shall be authorized under the applicable requirements of Env-A 3000 (Emissions Reductions Credit (ERCs) Trading Program) and Env-A 3100 (The Discrete Emissions Reductions (DERs) Trading Program) to bank or trade ERCs or DERs. The ERCs may be traded upon issuance of an ERC Certificate by DES. The DERs may be traded upon submittal of Notices of Generation of DERs. Upon submittal, said Notices shall be available to the public under RSA91-A.

E. Monitoring/Testing Requirements

1. The Permittee is subject to the monitoring/testing requirements as contained in Table 6 below:

Table 6 – Monitoring/Testing Requirements

Item #	Device	Parameter	Method of Compliance	Frequency of Method	Regulatory Cite
1.	Fountain Solution	Control of VOC emissions through the use of compliant fountain solution	Testing and monitoring for the VOC content of the fountain solution to determine compliance with Env-A 1204.19 (c) (4) shall be performed by the method prescribed in Env-A 803.05 (a). Unless determination of compliance with Env-A 1204 is required by the division, it shall be acceptable for a stationary source, subject to Env-A 1204, to provide VOC coating information based upon supplier or stationary source formulation data, or another method determined to be representative of the physical properties of the coating. Such information shall be acceptable as prima facie evidence of the actual VOC content of the coating and shall include all data required.	For all existing and a new low VOC fountain solution and whenever changes are made in fountain solution constituents or formulation.	Env-A 803.05 (a)
2.	Cleaning solution	Control of VOC emissions through the use of cleaning solution	Testing and monitoring for the VOC content of the cleaning solution to determine compliance with Env-A 1204.19 (c) (1) shall be performed by the method prescribed in Env-A 803.05 (b). Unless determination of compliance with Env-A 1204 is required by the division, it shall be acceptable for a stationary source, subject to Env-A 1204, to provide VOC coating information based upon supplier or stationary source formulation data, or another method determined to be representative of the physical properties of the coating. Such information shall be acceptable as prima facie evidence of the actual VOC content of the coating and shall include all data required. (See Note at the end of Table 6)	For all existing and a new low VOC cleaning solution and whenever changes are made in cleaning solution constituents or formulation.	Env-A 803.05 (b)
3.	Reeco Unitherm Thermal Oxidizer	Control of VOC emissions through the use of add-on control device	<p>(a) Compliance with the control efficiency requirements for an add-on control device used to reduce VOC emissions from the dryer exhaust by a minimum of 90% shall be demonstrated using the applicable procedure(s) described in Env-A 803.03 (See Note at the end of Table 6)</p> <p>(b) Minimum destruction efficiency shall be at least 90% and the central chamber temperature shall not drop below 1480 deg F while the unit is in operation.</p> <p>(c) The operating temperature of the thermal oxidizer shall be monitored and recorded continuously.</p> <p>(d) Concord Litho shall install low temperature alarm or the temperature chart shall be examined every 24- hours to ensure compliance with the temperature limit listed above in Table 6, Item 3(c). A permanently bound logbook shall be used and maintained to record the temperature measurements charts.</p>	<p>Upon start-up and upon request by DES or EPA</p> <p>Continuously</p>	<p>Env-A 803.05 (c)</p> <p>Env-A 803.05(c) and 40 CFR 60.8</p>

Table 6 – Monitoring/Testing Requirements					
Item #	Device	Parameter	Method of Compliance	Frequency of Method	Regulatory Cite
4.	Facility Stacks	Allows for adequate dispersion of HAPs and other regulated pollutants	Conduct an annual inspection of each fuel-burning device. Inspect each stack to determine that all stack parameters (height, diameter and cap) have not changed and to determine that stacks are in good operating condition (no holes, dents, rusting or any other visible damage present). Records of inspections and subsequent maintenance conducted as a result of the annual inspections shall be kept on file at the facility for review by the DES and/or EPA upon request.	Annually	Env-A 806.01(4) and 40 CFR 70.6(a)(3)
5.	All devices using gaseous fuels	Sulfur content in gaseous fuels	Gaseous fuel shall contain no more than 5 grains per 100 cubic feet of sulfur, calculated as hydrogen sulfide at standard conditions.	Upon written request by EPA or DES	40 CFR 52

Note: (Table 6, Item 3(a)) Compliance testing shall be planned and carried out in accordance with the following schedule:

1. At least 30 days prior to the commencement of testing, Concord Litho shall submit to the Division a pre-test report presenting the following information:
 - a. Calibration methods and sample data sheets;
 - b. Description of the test methods to be used;
 - c. Pre-test preparation procedures;
 - d. Sample collection and analysis methods;
 - e. Process data to be collected; and
 - f. Complete test program description.
2. At least 15 days prior to the test date, Concord Litho and any contractor that Concord Litho retains for performance of the test, shall participate in pre-test conference with a Division representative.
3. Emission testing shall be carried out under the observation of a Division representative. Upon commencement of any performance test, the performance test shall not be aborted unless approved by DES.

F. Recordkeeping Requirements

The Permittee is subject to the Recordkeeping requirements as contained in Table 7 below:

Table 7 – Applicable Recordkeeping Requirements				
Item #	Recordkeeping Requirement	Frequency of Recordkeeping	Applicable Emission Unit	Regulatory Cite
1.	<u>Retention of Records:</u> The Permittee shall retain records of all required monitoring data, record keeping and reporting requirements and support information for a period of at least 5 years from the date of the origination.	Retain for a minimum of 5 years	Facility wide	40 CFR 70.6(a)(3)(ii) (B)
2.	<u>Testing and Monitoring Data:</u> The Permittee shall maintain records of monitoring and testing requirements as specified in Table 6 of this Permit	Maintain on a continuous basis as specified in Table 6 of this Permit	Facility wide	40 CFR 70.6(a)(3)(iii) (A)
3.	<u>Records on Process Operations:</u> To satisfy the applicable requirements of Env-A 901.04, The Permittee shall record the following information: <ul style="list-style-type: none"> (a) Records shall be kept regarding the total monthly quantity, in gallons or pounds, of raw materials containing VOCs and HAPs; (b) Records shall be kept regarding the total monthly quantity, in gallons or pounds, of New Hampshire Regulated Toxic Air Pollutants (NHRTAPs) used in each process. 	Monthly and Rolling Consecutive 12 Month Basis	Facility Wide	Env-A 901.04 ³ (a) Federally Enforceable Env-A 1400 State-only Requirement

³ On April 23, 1999 DES promulgated new Env-A 900 regulations in an attempt to streamline the recordkeeping and reporting requirement sections of the New Hampshire Code of Administrative Rules. Until such time that the new Env-A 900 regulations are approved and adopted into the State Implementation Plan (SIP) by EPA, all Title V permits will be incorporating the old Env-A 900 regulations (which became effective on November 11, 1992), unless the new Env-A 900 regulations are more stringent. The recordkeeping and reporting requirements contained in this permit are those requirements, which the facility shall be required to comply with. These recordkeeping and reporting requirements shall fall under the Permit Shield provisions as contained in Section XIII of this permit.

Table 7 – Applicable Recordkeeping Requirements

[illegible]

Table 7 – Applicable Recordkeeping Requirements

Item #	Recordkeeping Requirement	Frequency of Recordkeeping	Applicable Emission Unit	Regulatory Cite
4.con't	(vi). Diluent's/solvent ratio described as gal diluent's solvent/gal coating. (f) Process information for each printing press, for both the normal operation schedule and for a typical (or average high ozone season day, if different from the normal operating schedule, including: (i). Method of application; (ii). Number of coats for coating operations; (iii). Drying method, range of time and temperature at drying device; (iv). Substrate type and form. (g) Solvent throughput or ink consumption data, including records of annual and typical high ozone season day throughput of each ink formulation for each printing press.	Maintain at facility at all times.	EU1- EU13	Env-A 901.06(e)(2) (3)
5.	<u>Fuel Utilization:</u> Monthly records of fuel utilization shall be kept at the facility for review upon request by DES or EPA. Monthly invoices from fuel suppliers may be used to demonstrate compliance.	Maintain at facility at all times.	Fuel burning devices	Env-A 901.03
6.	<u>Insignificant Activities:</u> Annual records of actual emissions for insignificant activities for determination of emission based fees.	Maintain at facility at all times.	Fuel burning devices	Env-A 609.03(e)(f)
7.	<u>VOC Control Equipment:</u> The owner or operator of any stationary source or device with add-on VOC control equipment shall record and maintain the following information, as applicable: (a) The control device identification number, type, model number, and manufacturer; (b) Installation date; (c) Printing presses controlled and whether or not the control device is always in operation when the printing press is operating; (d) The type and location of the capture system, capture efficiency percentage and method of determining capture efficiency; (e) Destruction efficiency information; (i). Percent destruction efficiency (ii). Date tested and; (iii). The method of determining destruction efficiency, if not tested; (f) The design combustion temperature of the thermal oxidizer shall be monitored and recorded, continuously while in operation. (g) Any temperature reading falling below minimal destruction temperature (1480 deg F) shall be recorded in a permanently bound logbook referenced in Table 6 Item3(d).	Maintain at facility at all times.	Thermal Oxidizer	Env-A 901.06(l)

G. Reporting Requirements

The Permittee is subject to the federally enforceable reporting requirements identified in Table 8 below:

Table 8 – Applicable Reporting Requirements				
Item #	Reporting Requirement	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
1	<u>Applicable Throughput and Process Data Information:</u> Concord Litho shall submit to the director applicable throughput and process data information, for each printing press or device, as required by Env-A 901.06(e)(2) and Env-A 901.06(e)(3) and listed in Table 7, Item 4(f)(g).	Annually (no later than April 15th of the following year)	EU1-EU15	Env-A 901.07(d)
2.	<u>Prompt Reporting of Permit Deviations:</u> Concord Litho shall promptly report deviations from permit requirements within 24 hours of such an occurrence by phone or fax in accordance with Section XXVIII of this permit.	Within 24 hours of occurrence	Facility wide	40 CFR 70.6(a)(3)(iii) (B)
3.	<u>Summary Report of Monitoring and Testing and Permit Deviations:</u> Concord Litho shall submit a summary report of all permit deviations and any required monitoring and testing every 6 months. All instances of deviations from Permit requirements must clearly be identified in such reports. All required reports must be certified by a responsible official consistent with Section XXI.B. of this Permit. The report shall contain a summary of the following data: (a) Material Safety and Data Sheets (MSDS) for all new fountain solutions and cleaning solutions “as applied”; (b) Summary report of all permit deviations for the thermal oxidizer containing any excess emissions due to operation below the minimal destruction temperature, cause of the excess emissions, time and duration of the excess emissions and steps taken to correct the problem.; (c) Summary report of annual inspection of fuel burning devices; and (d) Permit deviations.	Every 6 months by July 31st and January 31st of each calendar year.	Facility Wide	40 CFR 70.6(a)(3)(iii) (A)

Table 8 – Applicable Reporting Requirements

Item #	Reporting Requirement	Frequency of Reporting	Applicable Emission Unit	Regulatory Cite
4.	<p><u>VOC Reporting Requirements</u> To satisfy the requirements of Env-A 901.07, the Permittee shall report the following information:</p> <p>(a) Facility information including:</p> <ul style="list-style-type: none"> (i). Source name; (ii). Source identification; (iii). Physical address; (iv). Mailing address; (v). Date of origination of reports; (vi). Facility contact and title and; (vii). Facility telephone number. <p>(b) Operating schedule information for each device or process for:</p> <ul style="list-style-type: none"> (i). A typical business day; and (ii). A typical high ozone season day, if different from a typical business day. <p>(c) Total quantities of actual VOC emissions for the entire facility and for each process or device:</p> <ul style="list-style-type: none"> (i). Annual VOC emissions, in tons; and (ii). Typical high ozone season day VOC emissions, in pounds per day. 	Annually (no later than April 15 th of the following year)	Facility wide	Env-A 901.07(b)&(c)
5.	<p><u>VOC Control Equipment:</u> The owner or operator of any stationary source or device with add-on VOC control equipment shall report the following information, as applicable:</p> <ul style="list-style-type: none"> (a) The control device identification number, type, model number, and manufacturer; (b) Installation date; (c) Process or devices controlled; (d) The type and location of the capture system, capture efficiency percentage and method of determining capture efficiency; (e) Percent destruction efficiency; (f) Date of performance test. 	Annually (no later than April 15 th of the following year)	EU1-EU5	Env-A 901.07(b) (5) & Env-A 901.06 (1)
6.	<p><u>Certification by a Responsible Official:</u> Any report or compliance certification submitted to the DES and/or EPA shall contain certification by a responsible official of truth, accuracy, and completeness as outlined in Section XXII.B of this permit</p>	As specified	Facility wide	40 CFR 70.5 (d)
7.	<p><u>Annual Reporting and Emissions Fees:</u> Concord Litho shall submit annual reports and payment of emission-based fees in accordance with Section XXIV of this permit.</p>	Annually—Reporting by April 15 th and payment by October 15 th	Facility wide	and Env-A 704.03 and 704.04
8.	<p><u>Annual Compliance Certification</u> Concord Litho shall submit annual compliance certification in accordance with Section XXII for this permit.</p>	Annually (no later than April 15 th of the following year)	Facility wide	40 CFR 70.6(c)(1)

IX. Requirements Currently Not Applicable

The Permittee did not identify any requirements that are not applicable to the facility.

General Title V Operating Permit Conditions

X. Issuance of a Title V Operating Permit

- A. This Permit is issued in accordance with the provisions of Part Env-A 609. In accordance with 40 CFR 70.6(a)(2) this Permit shall expire on the date specified on the cover page of this Permit, which shall not be later than the date five (5) years after issuance of this Permit.

Permit expiration terminates the Permittee's right to operate the Permittee's emission units, control equipment or associated equipment covered by this permit, unless a timely and complete renewal application is submitted at least 6 months before the expiration date.

- B. Pursuant to Env-A 609.02(b), this Permit shall be a state permit to operate as defined in RSA 125-C:11, III.

XI. Title V Operating Permit Renewal Procedures

Pursuant to Env-A 609.06(b), an application for renewal of this Permit shall be considered timely if it is submitted to the Director at least six months prior to the designated expiration date of this Permit.

XII. Application Shield

Pursuant to Env-A 609.07, if an applicant submits a timely and complete application for the issuance or renewal of a Permit, the failure to have a Permit shall not be considered a violation of this part until the Director takes final action on the application.

XIII. Permit Shield

- A. Pursuant to Env-A 609.08(a), a permit shield shall provide that:

1. For any applicable requirement or any state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically included in this Permit, compliance with the conditions of this Permit shall be deemed compliance with said applicable requirement or said state requirement as of the date of permit issuance; and
2. For any potential applicable requirement or any potential state requirement found in the New Hampshire Rules Governing the Control of Air Pollution specifically identified in this Title V

Operating Permit Section IX as not applicable to the stationary source or area source, the Permittee need not comply with the specifically identified federal or state requirements.

- B.** The permit shield identified in Section XIII.A. of this Permit shall apply only to those conditions incorporated into this Permit in accordance with the provisions of Env-A 609.08(b). It shall not apply to certain conditions as specified in Env-A 609.08(c) that may be incorporated into this Permit following permit issuance by DES.
- C.** If a Title V Operating Permit and amendments there to issued by the DES does not expressly include or exclude an applicable requirement or a state requirement found in the NH Rules Governing the Control of Air Pollution, that applicable requirement or state requirement shall not be covered by the permit shield and the Permittee shall comply with the provisions of said requirement to the extent that it applies to the Permittee.
- D.** If the DES determines that this Title V Operating Permit was issued based upon inaccurate or incomplete information provided by the applicant or Permittee, any permit shield provisions in said Title V Operating Permit shall be void as to the portions of said Title V Operating Permit which are affected, directly or indirectly, by the inaccurate or incomplete information.
- E.** Pursuant to Env-A 609.08(f), nothing contained in Section XIII of this Permit shall alter or affect the ability of the DES to reopen this Permit for cause in accordance with Env-A 609.18 or to exercise its summary abatement authority.
- F.** Pursuant to Env-A 609.08(g), nothing contained in this section or in any title V operating permit issued by the DES shall alter or affect the following:

 - 1.** The ability of the DES to order abatement requiring immediate compliance with applicable requirements upon finding that there is an imminent and substantial endangerment to public health, welfare, or the environment;
 - 2.** The state of New Hampshire's ability to bring an enforcement action pursuant to RSA 125-C:15,II;
 - 3.** The provisions of section 303 of the Act regarding emergency orders including the authority of the EPA Administrator under that section;
 - 4.** The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
 - 5.** The applicable requirements of the acid rain program, consistent with section 408(a) of the Act;
 - 6.** The ability of the DES or the EPA Administrator to obtain information about a stationary source, area source, or device from the owner or operator pursuant to section 114 of the Act; or
 - 7.** The ability of the DES or the EPA Administrator to enter, inspect, and/or monitor a stationary source, area source, or device.

XIV. Reopening for Cause

The Director shall reopen and revise a Title V Operating Permit for cause if any of the circumstances contained in Env-A 609.18(a) exist. In all proceedings to reopen and reissue a Title V Operating Permit, the Director shall follow the provisions specified in Env-A 609.18(b) through (g).

XV. Administrative Permit Amendments

- A. Pursuant to Env-A 612.01, the Permittee may implement the changes addressed in the request for an administrative permit amendment as defined in Part Env-A 100 immediately upon submittal of the request.
- B. Pursuant to Env-A 612.01, the Director shall take final action on a request for an administrative permit amendment in accordance with the provisions of Env-A 612.01(b) and (c).

XVI. Operational Flexibility

- A. Pursuant to Env-A 612.02(a), the Permittee subject to and operating under this Title V Operating Permit may make changes involving trading of emissions under this existing Title V Operating Permit at the permitted stationary source or area source without filing a Title V Operating Permit application for and obtaining an amended Title V Operating Permit, provided that all the conditions are met as specified in section XVI. A. 1. through 7. of this permit and a notice is submitted to the DES and EPA describing the intended changes. At this point, DES has not included any permit terms authorizing emissions trading in this permit.
 - 1. The change is not a modification under any provision of title I of the Act;
 - 2. The change does not cause emissions to exceed the emissions allowable under the title V operating permit, whether expressed therein as a rate of emissions or in terms of total emissions;
 - 3. The owner or operator has obtained any temporary permit required by Env-A 600;
 - 4. The owner or operator has provided written notification to the director and administrator at least 15 days prior to the proposed change and such written notification includes:
 - a) The date on which each proposed change will occur;
 - b) A description of each such change;
 - c) Any change in emissions that will result and how this change in emissions will comply with the terms and conditions of the permit;
 - d) A written request that the operational flexibility procedures be used; and
 - e) The signature of the responsible official, consistent with Env-A 605.04(b);

5. The Title V Operating Permit issued to the stationary source or area source already contains terms and conditions including all terms and conditions which determine compliance required under 40 CFR 70.6(a) and (c) and which allow for the trading of emissions increases and decreases at the permitted stationary source or area source solely for the purpose of complying with a federally-enforceable emissions cap that is established in the permit independent of otherwise applicable requirements;
 6. The owner or operator has included in the application for the Title V Operating Permit proposed replicable procedures and proposed permit terms which ensure that the emissions trades are quantifiable and federally enforceable for changes to the Title V Operating Permit which qualify under a federally- enforceable emissions cap that is established in the Title V Operating Permit independent of the otherwise applicable requirements; and
 7. The proposed change complies with Env-A 612.02 (e).
- B. Pursuant to Env-A 612.02(c), the Permittee subject to and operating under this Title V Operating Permit may make changes not addressed or prohibited by this existing Title V Operating Permit at the permitted stationary source or area source without filing a Title V Operating Permit application, provided that all the conditions specified in Env-A 612.02(c)(1) through (6) are met and a notice is submitted to the DES and EPA describing the intended changes.
 - C. Pursuant to Env-A 612.02(d), the Permittee, Operator, Director and Administrator shall attach each notice of an off-permit change completed in accordance with Section XVI of this Title V Operating Permit to their copy of the current Title V Operating Permit.
 - D. Pursuant to Env-A 612.02(e), any change under Section XVI shall not exceed any emissions limitations established under the NH Rules Governing the Control of Air Pollution, or result in an increase in emissions, or result in new emissions, of any toxic air pollutant or hazardous air pollutant other than those listed in the existing Permit.
 - E. Pursuant to Env-A 612.02(f), the off-permit change shall not qualify for the permit shield under Env-A 609.08.

XVII. Minor Permit Amendments

- A. Pursuant to Env-A 612.04 prior to implementing a minor permit modification, the Permittee shall submit a written request to the Director in accordance with the requirements of Env-A 612.04(b).
- B. The Director shall take final action on the minor permit amendment request in accordance with the provisions of Env-A 612.04(c) through (g).
- C. Pursuant to Env-A 612.04(g), the permit shield specified in Env-A 609.08 shall not apply to minor permit amendments under Section XVII. of this Permit.
- D. Pursuant to Env-A 612.04(I), the Permittee shall be subject to the provisions of Part Env-A 614 and Part Env-A 615 if the change is made prior to the filing with the Director a request for a

minor permit amendment.

XVIII. Significant Permit Amendments

- A. Pursuant to Env-A 612.05, a change at the facility shall qualify as a significant permit amendment if it meets the criteria specified in Env-A 612.05(a)(1) through (7).
- B. Prior to implementing the significant permit amendment, the Permittee shall submit a written request to the Director which includes all the information as referenced in Env-A 612.05(b) and (c) and shall be issued an amended Title V Operating Permit from the DES. The Permittee shall be subject to the provisions of Env-A 614 and Env-A 615 if a request for a significant permit amendment is not filed with the Director and/or the change is made prior to the issuance of an amended Title V Operating Permit.
- C. The Director shall take final action on the significant permit amendment in accordance with the Procedures specified in Env-A 612.05(d), (e) and (f).

XIX. Title V Operating Permit Suspension, Revocation or Nullification

- A. Pursuant to RSA 125-C:13, the Director may suspend or revoke any final permit issued hereunder if, following a hearing, the Director determines that:
 - 1. the Permittee has committed a violation of any applicable statute or state requirement found in the New Hampshire Rules Governing the Control of Air Pollution, order or permit condition in force and applicable to it; or
 - 2. that the emissions from any device to which this Permit applies, alone or in conjunction with other sources of the same pollutants, presents an immediate danger to the public health.
- B. The Director shall nullify any Permit, if following a hearing in accordance with RSA 541-A:30, II, a finding is made that the Permit was issued in whole or in part based upon any information proven to be intentionally false or misleading.

XX. Inspection and Entry

Pursuant to Env-A 614.01, EPA and DES personnel shall be granted access to the facility covered by this Permit, in accordance with RSA 125-C:6, VII for the purposes of: inspecting the proposed or permitted site; investigating a complaint; and assuring compliance with any applicable requirement or state requirement found in the NH Rules Governing the Control of Air Pollution and/or conditions of any Permit issued pursuant to Chapter Env-A 600.

XXI. Certifications

A. Compliance Certification Report

In accordance with 40 CFR 70.6(c) the Responsible Official shall certify, for the previous calendar year, that the facility is in compliance with the requirements of this permit. The report shall be submitted annually, no later than April 15th of the following year. The report shall be submitted to the DES and to the U.S. Environmental Protection Agency - New England Region. The report shall be submitted in compliance with the submission requirements below.

In accordance with 40 CFR 70.6(c)(5), the report shall describe:

1. The terms and conditions of the Permit that are the basis of the certification;
2. The current compliance status of the source with respect to the terms and conditions of this Permit, and whether the method was continuous or intermittent during the reporting period;
3. The methods used for determining compliance, including a description of the monitoring, record keeping, and reporting requirements and test methods; and
4. Any additional information required by the DES to determine the compliance status of the source.

B. Certification of Accuracy Statement

All documents submitted to the DES shall contain a certification of accuracy statement by the responsible official of truth, accuracy, and completeness. Such certification shall be in accordance with the requirements of 40 CFR 70.5(d) and contain the following language:

"I am authorized to make this submission on behalf of the facility for which the submission is made. Based on information and belief formed after reasonable inquiry, I certify that the statements and information in the enclosed documents are to the best of my knowledge and belief true, accurate and complete. I am aware that there are significant penalties for submitting false statements and information or omitting required statements and information, including the possibility of fine or imprisonment."

All reports submitted to DES (except those submitted as emission based fees as outlined in Section XXIII of this Permit) shall be submitted to the following address:

New Hampshire Department of Environmental Services
Air Resources Division
6 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095
ATTN: Mary Ruel, Compliance Bureau

All reports submitted to EPA shall be submitted to the following address:

Office of Environmental Stewardship
 Director Air Compliance Program
 United States Environmental Protection Agency
 1 Congress Street
 Suite 1100 (SEA)
 Boston, MA 02114-2023
 ATTN: Air Compliance Clerk

XXII. Enforcement

Any noncompliance with a permit condition constitutes a violation of RSA 125-C:15, and, as to the conditions in this permit which are federally enforceable, a violation of the Clean Air Act, 42 U.S.C. Section 7401 et seq., and is grounds for enforcement action, for permit termination or revocation, or for denial of an operating permit renewal application by the DES and/or EPA. Noncompliance may also be grounds for assessment of administrative, civil or criminal penalties in accordance with RSA 125-C:15 and/or the Clean Air Act. This Permit does not relieve the Permittee from the obligation to comply with any other provisions of RSA 125-C, the New Hampshire Rules Governing the Control of Air Pollution, or the Clean Air Act, or to obtain any other necessary authorizations from other governmental agencies, or to comply with all other applicable Federal, State, or Local rules and regulations, not addressed in this Permit.

In accordance with 40 CFR 70.6 (a)(6)(ii) a Permittee shall not claim as a defense in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit.

XXIII. Emission-Based Fee Requirements

- A. The Permittee shall pay an emission-based fee annually for this facility as calculated each calendar year pursuant to Env-A 704.03.
- B. The Permittee shall determine the total actual annual emissions from the facility to be included in the emission-based multiplier specified in Env-A 704.03(a) for each calendar year in accordance with the methods specified in Env-A 620.
- C. The Permittee shall calculate the annual emission-based fee for each calendar year in accordance

$$FEE = E * DPT * CPI_m * ISF$$

with the procedures specified in Env-A 704.03 and the following equation:
 Where:

FEE =	The annual emission-based fee for each calendar year as specified in Env-A 704.
E =	The emission-based multiplier is based on the calculation of total annual emissions as specified in Env-A 704.02 and the provisions specified in Env-A 704.03(a).
DPT =	The dollar per ton fee the DES has specified in Env-A 704.03(b).

CPI_m= The Consumer Price Index Multiplier as calculated in Env-A 704.03(c).
ISF = The Inventory Stabilization Factor as specified in Env-A 704.03(d).

- D. The Permittee shall contact the DES each calendar year for the value of the Inventory Stabilization Factor.
- E. The Permittee shall contact the DES each calendar year for the value of the Consumer Price Index Multiplier.
- F. The Permittee shall submit, to the DES, payment of the emission-based fee and a summary of the calculations referenced in Sections XXIII.B. and C of this Permit for each calendar year by October 15th of the following calendar year in accordance with Env-A 704.04. The emission-based fee and summary of the calculations shall be submitted to the following address:

New Hampshire Department of Environmental Services
Air Resources Division
6 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095
ATTN.: Emissions Inventory

- G. The DES shall notify the Permittee of any under payments or over payments of the annual emission-based fee in accordance with Env-A 704.05.

XXIV. Duty To Provide Information

In accordance with 40 CFR 70.6 (a)(6)(v), upon the DES's written request, the Permittee shall furnish, within a reasonable time, any information necessary for determining whether cause exists for modifying, revoking and reissuing, or terminating the Permit, or to determine compliance with the Permit. Upon request, the Permittee shall furnish to the DES copies of records that the Permittee is required to retain by this Permit. The Permittee may make a claim of confidentiality as to any information submitted pursuant to this condition in accordance with Part Env-A 103 at the time such information is submitted to DES. DES shall evaluate such requests in accordance with the provisions of Part Env-A 103.

XXV. Property Rights

Pursuant to 40 CFR 70.6 (a)(6)(iv), this Permit does not convey any property rights of any sort, or any exclusive privilege.

XXVI. Severability Clause

Pursuant to 40 CFR 70.6 (a)(5), the provisions of this Permit are severable, and if any provision of this Permit, or the application of any provision of this Permit to any circumstances is held invalid, the

application of such provision to other circumstances, and the remainder of this Permit, shall not be affected thereby.

XXVII. Emergency Conditions

Pursuant to 40 CFR 70.6 (g), the Permittee shall be shielded from enforcement action brought for noncompliance with technology based⁴ emission limitations specified in this Permit as a result of an emergency⁵. In order to use emergency as an affirmative defense to an action brought for noncompliance, the Permittee shall demonstrate the affirmative defense through properly signed, contemporaneous operating logs, or other relevant evidence that:

- A. An emergency occurred and that the Permittee can identify the cause(s) of the emergency;
- B. The permitted facility was at the time being properly operated;
- C. During the period of the emergency, the Permittee took all reasonable steps as expeditiously as possible, to minimize levels of emissions that exceeded the emissions standards, or other requirements in this Permit; and
- D. The Permittee submitted notice of the emergency to the DES within two (2) business days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emission, and corrective actions taken.

XXVIII. Permit Deviation

In accordance with 40 CFR 70.6(a)(3)(iii)(B), the Permittee shall report to the DES all instances of deviations from Permit requirements, by telephone or fax, within 24 hours of discovery of such deviation. This report shall include the deviation itself, including those attributable to upset conditions as defined in the Permit, the probable cause of such deviations, and any corrective actions or preventative measures taken. Said Permit deviation shall also be submitted in writing to the DES in the semi-annual summary report of monitoring and testing requirements due July 31st and January 31st of each calendar year. Deviations are instances where any Permit condition is violated and has not already been reported as an emergency pursuant to Section XXVII of this Permit.

Reporting a Permit deviation is not an affirmative defense for action brought for noncompliance.

⁴ Technology based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain health based air quality standards.

⁵ An "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation would require immediate corrective action to restore normal operation, and that causes the source to exceed a technology based limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operations, operator error or decision to keep operating despite knowledge of any of these things.

8/22/00

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